

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AUG - 1 2019
SEAN T. MAHONEY, CLERK
SPENCER D. WILSON, DEPUTY

AFFIDAVIT OF KENNETH WEST, SPECIAL AGENT, IMMIGRATION AND
CUSTOMS ENFORCEMENT – HOMELAND SECURITY INVESTIGATIONS

I, Kenneth West, a Special Agent of Immigration and Customs Enforcement
– Homeland Security Investigations having been duly sworn, do hereby depose and
state as follows:

I. BACKGROUND AND QUALIFICATIONS

1. I have been a Special Agent with the United States Immigration and
Customs Enforcement, Homeland Security Investigations (HSI) since April 2003.
I graduated from the Federal Law Enforcement Training Center where I received
training in immigration and custom laws, investigative techniques and in locating
and apprehending persons in the United States who are or have been engaged in
criminal activity.

2. Prior to my employment with HSI, I was a commissioned police
officer in Washington State for 6 years. I am currently assigned to the Seattle
Division, Wenatchee Office of Investigations.

3. As a law enforcement officer for 22 years, I have received training
and on-the-job experience, relative to the investigation of the manufacture and sale
of fraudulent identity and employment eligibility documents, including, but not
limited to, Forms I-551/151 (Permanent Resident Cards) and United States Social
Security Administration cards. As a Special Agent, I have been involved in

numerous enforcement actions, including, but not limited to surveillance, undercover operations, and the execution of search and arrest warrants.

4. The information contained in this Affidavit is based on my own investigation, my conversations with other law enforcement officers and witnesses, and on my review of reports, records, and other documents. Where statements made by other individuals (including other Special Agents and law enforcement officers) are referenced in this Affidavit, such statements are described in sum and substance and in relevant part. Similarly, where information contained in reports and other documents or records are referenced in this Affidavit, such information is also described in sum and substance and in relevant part.

5. Moreover, because this Affidavit is submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me relating to the underlying investigation. Rather, I have set forth only the facts that I believe are necessary to support probable cause.

II. APPLICABLE LAW

6. It is a violation of 18 USC § 1546(a) to knowingly forge, counterfeit, alter, falsely make, possess, obtain, accept, receive or use any counterfeit or fraudulent immigrant or nonimmigrant visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States.

7. It is a violation of 18 USC §§ 1028(a)(2) and (3) to transfer, or possess with intent to transfer, false identification documents, including, but not limited to counterfeit Social Security cards or other identification documents.

III. AGENT TRAINING AND EXPERIENCE

A. Counterfeit Permanent Resident Cards (Form I-551)/Counterfeit Social Security Cards

8. Based upon my training and experience, I know that:

a. Counterfeit Permanent Resident Cards (Forms I-551), commonly referred to as a “green cards,” and counterfeit Social Security Cards are often marketed and sold together as a “set” by counterfeit document vendors. These documents are typically sold by counterfeit document vendors in pairs because such documents can be used in tandem by illegal immigrants to obtain employment in the United States.

b. Counterfeit immigration and/or identification documents such as Permanent Resident Cards and other immigration documents can be produced in various ways. For example, the counterfeit document manufacturer will often require a passport sized photograph of the individual for whom the counterfeit documents will be made. Once the counterfeit document manufacturer has received the photograph, the manufacturer will in turn scan the picture and upload the image into a computer program designed to replicate the genuine document and its authentication features. From there, the biographical data (for example name,

date of birth, and alien registration number or A-Number) is input into the computer program and ultimately printed onto a hard-plastic card stock, like that which is used in genuine immigration / identification documents.

B. Counterfeit Document Sales

Persons involved in the business of manufacturing and/or selling counterfeit documents will often use individuals, commonly referred to as “runners,” to take “orders” for counterfeit documents. Customers will contact the “runner” via a cellular telephone number provided by the “runner”. “Runners” often utilize pre-paid cellular telephones because such devices provide more anonymity. “Runners” will often meet individuals wishing to purchase counterfeit documents and obtain their passport photo(s) along with the personal identifiers, e.g., name, date of birth (DOB), SSN, and/or A-number, requested by the customer. It is common for such information to either be written on the back of the passport photo or on a separate piece of paper which is included with the photos or sent electronically through a text message.

C. FACTS ESTABLISHING PROBABLE CAUSE

A. Summary of the Investigation

9. The investigation began in December 2018 and identified Isais BAEZA as a counterfeit identity document vendor that owns and operates a business in Royal City, Washington, located in the Eastern District of Washington.

Based on the investigation, Isais BAEZA utilizes BERTHA's VIDEO, a sole proprietorship registered under the laws of the State of Washington and assigned Unified Business Identifier Number 602-896-328, located at 155 Camelia Street NW, Royal City, Washington to sell manufactured counterfeit identity documents and uses a gray 2015 Nissan Sentra, Washington License Plate Number BMU3021 to deliver counterfeit identity documents.

10. During the investigation of BAEZA, a second individual, Favian ZUNIGA-LOPEZ, was identified as a counterfeit identity document vendor working with BAEZA to supply the cards sold by BAEZA.

B. Source of Information (SOI)

11. In this investigation, HSI utilized two SOI's, hereon referred to as SA-011-WN and SA-012-WN. Both SA-011-WN and SA-012-WN have provided information in the past to other HSI agents and to me. That information has been verified as being true and reliable. Information passed along by SA-011-WN and SA-012-WN regarding persons involved in the manufacture and sale of counterfeit identity documents in past investigations has been verified by me to be accurate and correct. I am not aware of the SA-011-WN and SA-012-WN giving information to HSI that was later found to be false or misleading.

12. On April 18, 2019, HSI paid SA-011-WN \$200.00 for information and participation that SA-011-WN provided during this investigation. SA-011-WN

has a previous criminal conviction for vehicular assault. SA-011-WN is in the United States illegally. For SA-011-WN's cooperation and work in the past with HSI, SA-011-WN has received a work authorization card, which allows SA-011-WN to be employed in the United States. On February 21, 2019, SA-011-WN was documented by HSI as a confidential informant (CI). It is anticipated that HSI will re-apply for a deferred action and work authorization card for SA-011-WN.

13. On May 10, 2019, HSI paid SA-012-WN \$200.00 for information and participation that SA-012-WN provided during the investigation. On June 6, 2019, SA-012-WN was paid an additional \$800.00 for information and participation that SA-012-WN provided during the investigation. SA-012-WN has a previous conviction for Driving with a Suspended License. SA-012-WN is in the United States illegally. For SA-012-WN's cooperation and work in the past with HSI, SA-012-WN has received a work authorization card, which allows SA-012-WN to be employed in the United States. On May 7, 2019, SA-012-WN was documented by HSI as a CI. It is anticipated that HSI will re-apply for a deferred action and work authorization card for SA-012-WN.

C. Initial Investigative Information

14. In June of 2018, HSI received information from Royal City Police Department (RCPD) that a business in Royal City, under the name "BERTHA's VIDEO," was facilitating the manufacturing of fraudulent Immigration and Social

Security documents. The owner of BERTHA's VIDEO was told by RCPD to be that of Isais BAEZA, aka; "Gallo."

15. A query by Special Agent (SA) Kenneth West in the Washington State Department of Licensing (DOL) database indicates Isais BAEZA to be have a valid Washington Driver's License (WA # BAEZAIL323PL, DOB: 10/13/1968) depicting an address of 211 Calla Loop NW, Royal City, WA. SA West confirmed this address with RCPD as being the documented residential address for BAEZA.

16. A query by SA West in the Washington State Department of Revenue online database indicated BERTHA's VIDEO as being a current registered business in Washington with a business address of 155 Camelia Street NW, Royal City, Washington. BERTHA's VIDEO maintains a Unified Business Identifier Number (UBI#) of 602-896-328, listing Isais BAEZA and Soralla BAEZA as the governing people of the business. An additional query by SA West in Accurant, (a commercially generated database) identifies Soralla BAEZA as being the spouse of Isais BAEZA.

17. On December 14, 2018, SA West and Resident Agent in Charge (RAC) Charles Wilson conducted surveillance on the BERTHA's VIDEO. At approximately 13:00 hrs., SA West and RAC Wilson observed a silver Nissan Sentra (with paper dealership plate) arrive at the store. Upon arrival, a Hispanic

male was seen exiting the car, unlocking the front door of the BERTHA's VIDEO, and then proceeding inside. This vehicle matched the description of the vehicle was seen by RCPD Chief Smith, when he earlier drove by BAEZA's residence at approximately 12:15 hrs.

18. At approximately 13:15 hrs., SA-011-WN and SA-012-WN walked into BERTHA's VIDEO for the purpose of making contact with BAEZA to discuss the purchasing of fraudulent documents. At approximately 13:25 hrs., SA-011-WN and SA-012-WN exited the store and met with SA West and RAC Wilson at a pre-determined location in Royal City.

19. SA-011-WN stated the following about what was seen and heard in the store;

a. A lone individual was in the store, who matched a photo of BAEZA previously shown to SA-011-WN by SA West.

b. SA-011-WN asked BAEZA if a "Mica" (Permanent Resident Card) could be purchased, at which time BAEZA stated yes, but added the person who actually makes the cards lives in Othello, Washington.

c. BAEZA told SA-011-WN that the price for a Permanent Resident Card and a matching Social Security Card was \$100 dollars. BAEZA then showed SA-011-WN and SA-012-WN a sample Permanent Resident Card and Social Security Card that he had in the store.

d. BAEZA told SA-011-WN and SA-012-WN that the process for getting the card was to message Mexican phone number 011 52 31 5107 99194 via "What's App." BAEZA told SA-011-WN, to send a "What's App" message to that number saying that he/she had talked to "Gallo" about getting a card made. (BAEZA referred to himself during the conversation with SA-011-WN and SA-012-WN as being "Gallo").

e. BAEZA further stated that once contact was made on "What's App," SA-011-WN would be instructed to send a photo and name to be put on the ordered set of cards. Once the cards were made, they would be available for pick up at the BERTHA's VIDEO. SA-011-WN and SA-012-WN were told that on some occasions a potential buyer may be able to pick up the cards in Othello, Washington.

D. April 18, 2019 - Controlled Buy #1 of Counterfeit Identity Documents

20. On April 12, 2019, at 11:58 hrs., SA-011-WN sent a text to phone number 011 52 31 5107 99194, via "What's App," asking if a Permanent Resident Card and Social Security Card could be made and purchased. SA-011-WN received confirmation that cards could be made. At 14:32 hrs., SA-011-WN sent a photo, along with a fictitious name and DOB to be put on the cards. SA-011-WN was told that the cards could be picked up later in the week at the video store for the price of \$100.00.

SA WEST REVIEWED SA-011-WN'S CELL PHONE THAT CORROBORATED THE CONVERSATIONS BETWEEN SA-011-WN AND THE INDIVIDUAL ON "WHAT'S APP." KW.

(JL)

21. On April 18, 2019, at 12:20 hrs., SA West and RAC Wilson met with SA-011-WN and SA-012-WN at a pre-arranged location in Royal City. SA West gave SA-011-WN \$100.00 buy money. SA West and RAC Wilson also performed a search of SA-011-WN and SA-012-WN's person and their vehicle and recovered no contraband. SA West instructed SA-011-WN to carry just the buy money and a phone on his/her person. SA West placed an electronic audio transmitting device on SA-012-WN.

22. At approximately 12:30 hrs., SA West and RAC Wilson took up a surveillance position that allowed a view of the front door of the BERTHA's VIDEO. SA-011-WN and SA-012-WN staged nearby. Upon initiating surveillance, SA West observed the previously observed silver Nissan Sentra parked near the front door of the BERTHA's VIDEO. (A vehicle registration query performed by SA West indicated the Nissan Sentra is registered to Isais BAEZA at 211 Calla Loop NW, Royal City, Washington) Shortly after observing the vehicle, SA West instructed SA-011-WN and SA-012-WN to proceed into the store.

23. At approximately 12:45 hrs., SA-011-WN and SA-012-WN walked into the BERTHA's VIDEO. Upon SA-011-WN and SA-012-WN walking into the BERTHA's VIDEO, SA West could hear conversation (in Spanish) between a male in the BERTHA's VIDEO and SA-011-WN and SA-012-WN.

24. At approximately 12:46 hrs., SA West observed a male wearing blue jeans and a gray sweatshirt exit the BERTHA's VIDEO and open the door of the silver Nissan Sentra. The male appeared to match the description of whom SA West knew to be BAEZA. SA West and RAC Wilson could see BAEZA grab a small item from within the silver Nissan Sentra before walking back into BERTHA's VIDEO. Once back in the store, BAEZA and SA-011-WN continued talking in Spanish.

25. At approximately 12:50 hrs., SA-011-WN and SA-012-WN exited the store and met SA West and RAC Wilson at a pre-arranged location in Royal City.

26. Upon meeting, SA-011-WN handed SA West a DVD movie case for the movie *Fifty Shades Freed*. The outside of the case had a name hand-written on it, matching the fictitious name SA-011-WN had provided during communication via "What's App" on April 12, 2019. Upon opening the case, SA West observed a copy of the DVD movie *Fifty Shades Freed*, along with a white envelope. Inside the envelope was a Social Security Card depicting the fictitious name SA-011-WN had provided on April 12, 2019. Also in the envelope was a Permanent Resident Card, depicting the fictitious name, DOB and photo that SA-011-WN had provided on April 12, 2019.

27. SA-011-WN told SA West and RAC Wilson that when they entered the BERTHA's VIDEO, BAEZA walked outside, then returned inside the store

with the movie case containing the Permanent Resident Card and Social Security Card, which matched what SA West and RAC Wilson observed on surveillance. BAEZA told SA-011-WN that the cards were brought up from Yakima. SA-011-WN told BAEZA that he/she had relatives coming into town that would also need cards at a later date. BAEZA told SA-011-WN to get ahold of him when more cards were needed.

28. SA West showed SA-011-WN a Washington State DOL Photo of BAEZA, at which time SA-011-WN confirmed the photo as matching whom he/she received the cards from.

E. May 8-10, 2019 – Controlled Buy #2 of Counterfeit Identity Documents

29. On May 8, 2019, SA-012-WN contacted “What’s App” number 011 52 31 5107 99194 and confirmed that two more Permanent Resident Cards and Social Security Cards could be purchased. SA-012-WN sent two fictitious names, DOBs, and pictures to the “What’s App” number 011 52 31 5107 99194. The person on the other end of the message indicated that the cards could be picked up in Othello later in the week, and that someone would call when they were ready for pickup. *SA WEST REVIEWED SA-012-WN'S PHONE THAT CORROBORATED THIS. K.W.*

30. On May 9, 2019, SA-012-WN received a call from phone number (714) 599-6186, informing him that the cards were ready for pickup. SA-012-WN replied that he could pick them up the next day.

31. On May 10, 2019 at approximately 18:30 hrs., SA West, RAC Wilson, RCPD Chief Smith, SA-011-WN and SA-012-WN met at Royal City High School to discuss the purchase of the two sets of Permanent Resident and Social Security Cards arranged on May 8 and 9. SA-012-WN informed SA West that prior to the meeting, he/she had received a call from an unknown male at phone number (714) 599-6186 (the Target Number) informing him/her that he had the cards and was about 30 minutes from Royal City. At approximately 18:55 hrs., SA West searched SA-012-WN's person and instructed him/her to call the Target Number. SA-012-WN called the Target Number and spoke to an unidentified male who told SA-012-WN to meet him at Sandoval's Market in Royal City. The person told SA-012-WN that he would be in a Grey Chevy Cruz. SA West placed an electronic audio transmitter on SA-012-WN's person.

32. At approximately 19:10 hrs., SA West, RAC Wilson and Chief Smith set up surveillance of Sandoval's Market in Royal City. SA West observed SA-012-WN arrive in his/her vehicle. At approximately 19:15 hrs., SA West observed a grey Chevy Cruz arrive on the eastside of Sandoval's Market. SA West heard through the audio transmitter a conversation in Spanish between SA-012-WN and an unidentified individual.

33. At approximately 19:18 hrs., SA-012-WN contacted SA West by phone and informed him that he had successfully purchased the two Permanent

Resident and Social Security Cards, and that the person who had sold the cards had walked into Sandoval's Market. SA-012-WN provided that the Chevy Cruz was bearing Washington State License Plate BJF6114. SA West met with SA-012-WN and obtained from SA-012-WN the purchased cards. SA West observed that the two sets of cards included the names, photos and DOBs provided by SA-012-WN to "What's App" number 011 52 31 5107 99194 on May 8, 2019.

34. The grey Chevy Cruz bearing Washington License Plate BJF6114 was later determined to be registered to Favian ZUNIGA-LOPEZ.

35. SA West observed the grey Chevy Cruz leave Sandoval's Market. SA West pulled behind the grey Chevy Cruz and confirmed it was bearing Washington license plate number BJF6114. The grey Chevy Cruz bearing Washington license plate number BJF6114 (the Target Vehicle) drove to nearby Spud's convenience store, where Chief Smith observed a male exit the vehicle and enter Spud's.

36. Chief Smith ran a Department of Licensing (DOL) query which returned that the Target Vehicle was registered to Favian ZUNIGA-LOPEZ at 2205 Kenfield Lane, #72, Othello, Washington. Chief Smith was able to identify ZUNIGA-LOPEZ's DOL photo as the driver of the grey Chevy Cruz he earlier observed walking into ~~Sandoval's Market~~. *Spud's convenience store. Kw. JR*

37. Agent West followed ZUNIGA-LOPEZ as he left Spud's in the Target Vehicle and drive to a Walmart in Othello, Washington. Approximately

five minutes after arriving at and entering the Walmart, Agent West observed ZUNIGA-LOPEZ exit the Walmart with a shopping bag and return to the Target Vehicle. Agent West followed ZUNIGA-LOPEZ and the Target Vehicle to 2205 Kenfield Lane in Othello Washington, but was unable to observe which unit ZUNIGA-LOPEZ entered.

38. Agent West departed the area, but returned a short while later and observed the Target Vehicle parked in space number 81.

F. June 5-6, 2019 - Attempted Controlled Buy #3 of Counterfeit Identity Documents

39. On June 5, 2019, at 13:49 hrs., SA-012-WN sent a “What’s App” text to phone number 011 52 31 5107 99194 asking “Is it possible to make another ID and SSN?”. He/she received an affirmative reply. Arrangements were made to pick up the documents on the following day and SA-012-WN sent a photo and fictitious name and DOB of “Vanessa Luna, DOB: 01/11/2001” to “What’s App” phone number 011 52 31 5107 99194.

40. On June 6, 2019 at 19:03 hrs., SA-012-WN sent a “What’s App” text to phone number 011 52 31 5107 99194 asking if they should meet at Sandoval’s Market. 011 52 31 5107 99194 replied that they should meet at 19:45 hrs. At approximately 19:10 hrs., at the direction of RAC Wilson, SA-012-WN called the Target Number. SA-012-WN recognized the answering voice as that of ZUNIGA-LOPEZ. SA-012-WN inquired about the status of the cards requested the previous

day, and ZUNIGA-LOPEZ told SA-012-WN that he did not have the information for the cards, so the cards had not been made, and that SA-012-WN should resend the information for the cards. ZUNIGA-LOPEZ informed SA-012-WN that the cards would be ready the next day. At 19:12 hrs., SA-012-WN re-sent a photo and fictitious name and DOB of “Vanessa Luna, DOB: 01/11/2001” to “What’s App” phone number 011 52 31 5107 99194.

41. At 20:07 hrs., SA-012-WN received a “What’s App” text saying “I already left it.” SA-012-WN replied “I’m confused about the Mica. What time can I pick it up?” “What’s App” phone number 011 52 31 5107 99194 replied “It’s at Gallo’s house.”

42. At approximately 21:00 hrs., SA-012-WN called phone number 011 52 31 5107 99194, and the call was answered by a voice that SA-012-WN recognized as that belonging to BAEZA. BAEZA told SA-012-WN to come to the BERTHA’s VIDEO the next day to pick up the cards and that the BERTHA’s VIDEO would be open around noon.

G. June 7, 2019 - Controlled Buy #3 of Counterfeit Identity Documents

43. On June 7, 2019 at approximately 11:30 hrs., SA West and RAC Wilson met with SA-011-WN and SA-012-WN at a pre-arranged location in Royal City, Washington for the purpose of conducting a controlled purchase of documents that had been negotiated between SA-012-WN and BAEZA on the

previous day. SA West and RAC Wilson conducted a search of SA-012-WN's vehicle & person, along with SA-011-WN and found no contraband. SA West then gave SA-012-WN \$100 buy money, and placed a concealed audio transmitter on SA-012-WN's person.

44. At approximately 12:00 hrs., SA West and RAC Wilson initiated visual surveillance on the BERTHA's VIDEO.

45. At approximately 12:12 hrs., SA West and RAC Wilson silver Nissan Sentra previously observed arrive and park in front of BERTHA's VIDEO. SA West observed a male matching the description of BAEZA got out of the Sentra and walk into the BERTHA's VIDEO.

46. At approximately 12:25 hrs., SA West and RAC Wilson observed SA-012-WN and SA-011-WN walk into the BERTHA's VIDEO. SA West could hear brief conversation (in Spanish) between SA-012-WN and a male inside the store via the audio transmitter.

47. At approximately 12:27 hrs., SA West and RAC Wilson observed SA-012-WN and SA-011-WN walk out of the BERTHA's VIDEO, at which time SA West observed SA-012-WN carrying a DVD movie box.

48. At approximately 12:29 hrs. SA West observed BEAZA and a Hispanic female lock the door to the BERTHA's VIDEO and walk together to a nearby grocery store. (On June 10, 2019, SA West obtained a Washington State

DOL photo of BAEZA's wife, Soralla BAEZA, and confirmed this to be the same female leaving the store with BAEZA).

49. At approximately 12:40 hrs., SA West and RAC Wilson met SA-012-WN and SA-011-WN at a pre-arranged location in Royal City, at which time SA-012-WN handed SA West a DVD movie box titled *Wind River*. On the front of the DVD case was the handwritten name of "Vanela Luna". SA West recognized this name to closely match the fictitious name given to BAEZA on the previous day by SA-012-WN. SA West opened the DVD case and observed a Social Security Card depicting the name "Vanessa Luna" and SSN number 738-49-5960. In addition, SA West observed a Permanent Resident Card depicting the name of "Vanessa Luna" and DOB 01/11/2001.

50. During a de-brief with SA-012-WN and SA-011-WN, both stated they walked into BERTHA's VIDEO and were greeted by BAEZA. A female was in the store with him. SA-012-WN stated he/she walked directly up to the store counter, at which time BAEZA produced a DVD video from behind the counter and gave it to SA-012-WN. SA-012-WN then handed the \$100 to BAEZA. Both SA-011-WN and SA-012-WN stated conversation with BAEZA was short, and it was believed that BAEZA may have not wanted to talk much due to the presence of the female with him.

51. On July 24, 2019, HSI obtained a search warrant in U.S. District Court, Eastern District of Washington for the search of BERTHA's VIDEO STORE, pursuant to the ongoing investigation of fraudulent documents being distributed out of the store.

52. On July 29, 2019, SA West provided SA-012-WN with two photos depicting fictitious names of Juan Veracruz Murillo, 8/4/1982, and Veronica Torres Sanchez, 5/23/1981. SA-012-WN then texted these the names/photos to ZUNIGA-LOPEZ at the Target Number. SA-012-WN requested two cards be made under the names provided. SA-012-WN received a text back from the Target Number stating the cards would be made and dropped off later in the night at Gallo's Store. (BERTHA's VIDEO).

53. On July 30, 2019, at approximately 1145 hrs, HSI Agents initiated surveillance on BERTHA's VIDEO STORE in anticipation of executing the search warrant obtained on July 24, 2019. After not seeing the store open by 1200 hrs, SA West called SA-012-WN at 1220 hrs, and instructed him/her to contact the Target Number via text to advise that he/she was in town and could pick up the cards ordered the day prior. SA-012-WN was texted back by the Target Number and told that "Gallo" (BAEZA) would be at the store between 1:00 and 2:30 pm.

54. At 1300 hrs. SA Pitt observed a Silver Nissan Sentra arrive and park at the entrance of BERTHA's VIDEO STORE. SA Pitt then observed a male

driver and female passenger exit the Nissan and proceed to the front door of BIRTHA's VIDEO store, at which time they unlocked the door and proceeded inside the business.

55. At approx. 1305 hrs., HSI Agents walked into the business. SA West observed BAEZA behind the business counter. SA West (marked with police markings) advised he was law enforcement and that he had a warrant for the business relating to a fraudulent document investigation. BAEZA was placed into custody by SA West. The female inside the business with BAEZA was identified as Soralla RODRIGUEZ DE BAEZA and was not placed into custody and was allowed to remain in the business

56. At 1310 hrs., SA West, in the presence of SA Pitt, read BAEZA his Miranda rights from a Miranda Card SA West possessed. BAEZA understood his rights and agreed to talk with SA West and SA Pitt.

57. BAEZA initially denied knowing anything about fraudulent cards being distributed out of his business. SA West showed BAEZA a picture of a DVD box and cards that had been previously been purchased out of the store by SA-012-WN. Upon seeing this, BAEZA admitted that an individual he knew would sometimes bring cards by his store. BAEZA knew this individual to have a last name of LOPEZ and that he lived in Othello, WA. BAEZA stated the cards were \$100, and that his cut was approximately \$30. SA West showed a nameless

picture of ZUNIGA-LOPEZ to BAEZA at which time, at which time BAEZA identified the photo of that of whom he knew as LOPEZ.

58. While talking to BAEZA, SA Rodman informed SA West that he located a white envelope behind the cash register on the business counter. Inside the envelope contained two sets of ID's (Resident Alien Cards and SSN Cards) with the names and photos provided by SA-012-WN on the previous day.

59. SA West asked BAEZA about the cards found behind his register, at which time BAEZA stated the cards had been brought to the business a couple weeks ago when he was vacationing in Mexico.

60. SA West and SA Pitt then spoke to BAEZA's wife, Sorolla RODRIGUEZ-DE BAEZA about the found cards in the store. RODRIGUEZ stated the cards had been brought to the store on the previous night by LOPEZ. RODRIGUEZ was shown a nameless photo of ZUNIGA-LOPEZ, at which time RODRIGUEZ identified the photo of being that whom she knew to be LOPEZ.

61. SA West returned to questioning BAEZA about the time discrepancy as to when the cards found in his business had been delivered by ZUNIGA-LOPEZ. BAEZA did not elaborate on the discrepancy but stated he could help SA West if it could benefit him. BAEZA offered to make contact with ZUNIGA-LOPEZ and potentially have him come to the store later. BAEZA said he contacts ZUNIGA-LOPEZ on ZUNIGA-LOPEZ's Facebook account through Facebook

Messenger. BAEZA showed SA West ZUNIGA-LOPEZ's account, which was titled "LOPEZ LOPEZ". SA West recognized the picture on "LOPEZ LOPEZ" Facebook Messenger account to match ZUNIGA-LOPEZ.

62. At 1540 hrs, SA West instructed BAEZA to contact ZUNIGA-LOPEZ via Facebook Messenger, at which time BAEZA asked ZUNIGA-LOPEZ via Facebook Messenger if he was going to be in Royal City later because he needed one. Within minutes BAEZA received a "yes" from ZUNIGA-LOPEZ.

63. At 1545 hrs., BAEZA sent a female photo and name to ZUNIGA-LOPEZ. The name, provided to BAEZA by SA West, was that of Maria Rodriguez Sanchez, 8/19/1988. Upon sending the photo and name, BAEZA also stated the individual needing the card was hoping to have it by 6 pm for a job she was interviewing for. ZUNIGA-LOPEZ stated he would have the card to the store by around that time.

64. As BAEZA was talking with ZUNIGA-LOPEZ on Facebook Messenger, HSI surveillance units were surveilling ZUNIGA-LOPEZ's residence in Othello, Washington previously identified as 2205 Kenfield Lane, space 81 & 72. Surveillance units could not locate any of ZUNIGA-LOPEZ's known vehicles at his residence, to include a Hyundai Sante Fe that BAEZA stated ZUNIGA-LOPEZ had recently acquired.

65. At approximately 1755 hrs., BAEZA contacted ZUNIGA-LOPEZ and asked if he was close, at which time ZUNIGA-LOPEZ stated he was six minutes out.

66. At approximately 1805 hrs., SA West observed a black Hyundai Sante Fe, (Washington License ARB 6100), pull up to the front of BERTHA's VIDEO STORE. SA West observed a male exit the Hyundai that matched that a previously obtained Washington DOL photo of Favian ZUNIGA-LOPEZ. In addition, the individual matched the photo SA West previously observed on ZUNIGA-LOPEZ's Facebook Messenger account.

67. Within minutes, ZUNIGA-LOPEZ entered the store and was contacted by SA West who identified himself as police. ZUNIGA-LOPEZ was taken into custody. SA West observed a white envelope in ZUNIGA-LOPEZ's right back jeans pocket. This envelope was similiar to the same envelope found in BAEZA's store earlier by SA Rodman. SA West opened the envelope found on ZUNIGA-LOPEZ's person observed a Resident Alien card and Social Security Card under the name of Maria Rodriguez Sanchez, 8/18/1988, which was the same name provided to ZUNIGA-LOPEZ earlier by BAEZA. SA West also discovered an additional Resident Alien Card and Social Security Card under a female not known by SA West.

68. At 1815 hrs, ZUNIGA-LOPEZ was read his Miranda Rights in Spanish by SA Pitt. Upon having his rights read, ZUNIGA-LOPEZ invoked his rights to remain silent stating he did not want to talk without an attorney.

69. ZUNIGA-LOPEZ was transported back to the Wenatchee ICE office, at which time his fingerprints were obtained by ICE Agent Waite. An examination of these prints in the Department of Homeland Security, Eagle Database, determined ZUNIGA-LOPEZ to be that of Oscar ZUNIGA-LOPEZ with a Date of Birth of 5/10/1986. ZUNIGA-LOPEZ was identified in Eagle as being previously arrested in 2013 as a citizen/national of Mexico that was unlawfully present in the United States. As of current date, ZUNIGA-LOPEZ remains unlawfully present in the United States.

IV. CONCLUSION

70. Based on the above facts, I submit there is probable to issue a complaint and arrest warrant for Oscar ZUNIGA-LOPEZ for violations of 18 U.S.C. § 1028(a)(2) (Transfer of false identification documents) and 18 U.S.C. § 1546(a) (Possession/obtainment or use of false/counterfeit alien registration documents).



Kenneth A. West, Affiant
Special Agent, HSI

SWORN TO TELEPHONICALLY AND SUBSCRIBED ELECTRONICALLY

before me this 1st day of August 2019.



Honorable John T. Rodgers
United States Magistrate Judge